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IN RE:

APPLICATION OF CHATTANOOGA)
GAS COMPANY, A DIVISION OF)
PIEDMONT NATURAL GAS COMPANY,)
INC., FOR AN ADJUSTMENT OF ITS)
RATES AND CHARGES, THE)
APPROVAL OF REVISED TARIFFS AND)
APPROVAL OF REVISED SERVICE)
REGULATIONS)

) T.R.A. DOCKET ROOM

DOCKET NO. 04-00034

**CONSUMER ADVOCATE'S MOTION FOR CLARIFICATION OF HEARING
OFFICER'S ORDER GRANTING, IN PART, AND DENYING, IN PART, CONSUMER
ADVOCATES'S MOTION FOR LEAVE TO SERVE ADDITIONAL DISCOVERY
REQUESTS**

Comes Paul G. Summers, Attorney General for State of Tennessee, through the Consumer Advocate and Protection Division of the Office of the Attorney General ("Consumer Advocate"), and hereby files this motion requesting clarification of certain matters in the Hearing Officer's Order Granting, in Part, and Denying, in Part, Consumer Advocate's Motion for Leave to Serve Additional Discovery Requests, dated July 12, 2004.

In the Hearing Officer's Order of July 12, 2004, he found that certain requests by the Consumer Advocate were duplicative or had been previously answered.

Discovery Request Numbers 1, 2, 3, 4(A-E), 4(G), 4(I), 4(L-O), 5(B-E), 6(A), 6(B), 6(D), 6(E), 11, 16, 17, 18, 19, 27, 28, 29, 30, 31 and 32 appear to be duplicative of TRA data requests and information already provided by the Company and therefore, will not be allowed.

Order of July 12, 2004 at page 3.

The Consumer Advocate is not challenging this finding but would like clarification of it.

With regard to Items 1, 2, 3, 4(A-E), 4(G), 4(I), 4(L-O), 5(B-E), 6(A), 6(B), 6(D), 6(E), the Consumer Advocate would ask assurance that even though these items may have already been answered in one form or another, Chattanooga Gas Company is still under a duty seasonably to supplement their responses pursuant to Rule 26.05 of the Tennessee Rules of Civil Procedure.¹ (These items were within the 40 request limit provided by the TRA Rules.) Furthermore, the Consumer Advocate would request that any supplementation should include specific reference to the number of the Discovery Request by the Consumer Advocate.

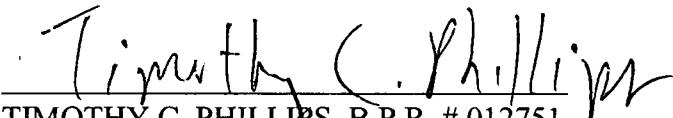
With regard to Items 11, 16, 17, 18, 19, 27, 28, 29, 30, 31 and 32, the Consumer Advocate would request that the Hearing Officer provide the number of the Data Request or other source that supplies the answers to these requests. Such a reference would be useful in referring witnesses to portions of the record during cross-examination, among other uses. Additionally, it will assist in the development of the record in this matter towards establishing a clearer understanding of the Hearing Officer's ruling.

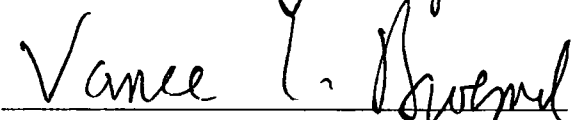
Finally, the Consumer Advocate would note that there was no ruling (and no response from Chattanooga Gas) on Item 7. The Consumer Advocate considers this an appropriate discovery request.

¹ Chattanooga Gas Company has already responded to these requests. The requests were included in The Motion For Leave to Serve Additional Discovery because of the odd manner in which Chattanooga Gas Company granted the original discovery requests and in response to the Hearing Officer's request that the Consumer Advocate revise its requests.

Accordingly, the TRA should grant the Consumer Advocate's Motion for Clarification

RESPECTFULLY SUBMITTED,


TIMOTHY C. PHILLIPS, B.P.R. # 012751
Assistant Attorney General *by Broemel*


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Dated July  2004

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been served via the methods indicated on this 16th day of July, 2004, to the following:

Via first-class U.S. mail, postage prepaid:

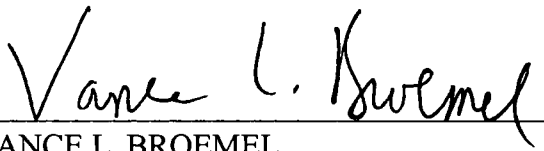
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